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September 14, 2022

**Via E-Mail Only:** [mccarthy@nywd.uscourts.gov](mailto:mccarthy@nywd.uscourts.gov)

Hon. Jeremiah J. McCarthy, United States Magistrate Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202

**Re: Patrick Francabandiero and Kimberly Francabandiero vs. National  
General Insurance Company**  
**Case 1:22-cv-00641**

Dear Judge McCarthy:

Please be advised that this office represents the Plaintiffs, Patrick and Kimberly Francabandiero, with respect to the above-referenced matter. In this regard, please note that the Defendant removed this matter to the District Court for the Western District of New York on the basis of diversity jurisdiction under 28 U.S.C. § 1332 and a preliminary conference pursuant to FRCP 16(b) was scheduled before Your Honor on September 28, 2022.

Please further note that defense counsel and I have conferred pursuant to FRCP 26(f). In light of the Plaintiffs' intention to file a motion to remand by September 23, 2022 and FRCP 26(f)(2)'s requirement to submit a Case Management Order fourteen (14) days in advance of the FRCP 16(b) conference, it is respectfully requested that the FRCP 16(b) conference be briefly adjourned. Please note that counsel for the Defendant has consented to this request.

Thank you for your consideration. If you should need anything from our office or wish to discuss this matter, please do not hesitate to contact me.

Very truly yours,  
**THE TARANTINO LAW FIRM, LLP**

*/s/ Nicholas P. DeMarco*

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